

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Expanding Flexible Use of the 12.2-12.7 GHz Band)	WT Docket No. 20-443
)	
Expanding Flexible Use in Mid-Band Spectrum Between 3.7-24 GHz)	GN Docket No. 17-183
)	

MOTION FOR EXTENSION OF TIME

CCIA,¹ INCOMPAS,² Open Technology Institute at New America,³ and Public Knowledge⁴ request a 30-day extension of the comment and reply comment deadlines in the above-captioned proceeding.⁵ The *NPRM* seeks comment on a host of policy and technical

¹ CCIA is an international, not-for-profit trade association representing a broad cross section of communications and technology firms. For nearly fifty years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy.

² INCOMPAS, the internet and competitive networks association, represents competitive broadband companies that are building fiber, fixed wireless, and mobile networks that connect residences, businesses, and community anchor institutions across the nation, and INCOMPAS is committed to pro-competition policies that will ensure customers have access to the providers and content of their choice.

³ The Open Technology Institute at New America and its Wireless Future Project work at the intersection of technology and policy to promote universal access to communications technologies that are both open and secure, including spectrum policies that encourage more ubiquitous, high-capacity and affordable wireless broadband connectivity for all Americans.

⁴ Public Knowledge promotes freedom of expression, an open internet, and access to affordable communications tools and creative works. We work to shape policy on behalf of the public interest.

⁵ *Expanding Flexible Use in the 12 GHz Band*, WT Docket No. 20-443 and GN Docket No. 17-183, FCC 21-13 (rel. Jan. 15, 2021) (“*NPRM*”). An extension, if granted, would move the comment date to May 7, and the reply comment date to June 7.

questions to which our organizations have been diligently working with its members to develop input. As we highlight below, the questions posed involve factual, legal and technical issues that take time to address—especially for organizations that represent an array of interests and that also have been working diligently on the implementation of COVID-19-relief programs that are critical for the nation, including the Emergency Broadband Benefit, the American Rescue Plan’s Emergency Connectivity Fund, and the Critical Capital Projects Fund. Moreover, the comment due date falls just after the Passover and Easter holidays, during which key staff members of our organizations will not be available. The additional time potentially will allow all interested parties to (1) more fully develop their responses to the Commission’s *NPRM* and lead to comments that will elicit a better developed record and reply comment round; and (2) more fully explore the applicability of sharing solutions developed in other bands to the 12.2-12.7 GHz band (“12 GHz band”).

Good cause exists for the Commission to authorize a brief extension in this case, and a grant of additional time is consistent with past precedent.⁶ Grant of the instant request will give “sufficient time for parties to analyze the issues” and “meaningfully address them.”⁷ The brief extension will not prejudice any party or affect the Commission’s ability to consider the issues. On the contrary, the extension will create a more “complete discussion of the matters pending before the Commission . . . for the Commission to develop the most complete and well-

⁶ 47 C.F.R. § 1.46.

⁷ *Implementation of State and Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Order Granting Extension of Time, 34 FCC Rcd 8660 ¶ 3 (2019); *see also Spectrum Five LLC Petition for Enforcement of Operational Limits and for Expedited Proceedings to Revoke Satellite Licenses*, Order, 35 FCC Rcd 13992 (2020).

delivered record possible.”⁸ It also potentially could help narrow the areas of disagreement among interested parties.

The *NPRM* raises substantial technical, legal, and policy issues that require thorough analyses from engineers, lawyers, and consultants on the feasibility of various sharing and coordination frameworks. INCOMPAS and its members have been hard at work to develop a comprehensive response to the *NPRM*. More time will allow membership-organizations like INCOMPAS more opportunities to solicit views, identify priorities, and develop informed opinions on the several complex questions posed by this proceeding and work through the different views of its membership. The Commission, stakeholders, and the public interest will all benefit from the additional information and analysis that a brief 30-day extension will provide.

Respectfully submitted,

CCIA, INCOMPAS, OTI at New America
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⁸ *Commission Staff Requests That Interested Parties Supplement the Record on Draft Interference Rules for Wireless Communications Service and Satellite Digital Audio Radio Service*, Order Extending Comment Period, 25 FCC Rcd 3642 ¶ 5 (2010).

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March 19, 2021